

FEDERAL REGISTER

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Washington, Friday, April 30, 1937

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48942]

AIRPORTS OF ENTRY

CERTAIN AIRPORTS REDESIGNATED AS AIRPORTS OF ENTRY FOR A
PERIOD OF ONE YEAR

To Collectors of Customs and Others Concerned:

Under the authority of section 7 (b) of the Air Commerce Act of 1926 (U. S. C., title 49, sec. 177 (b)), the following-named airports are hereby redesignated as airports of entry for the landing of aircraft from foreign countries for a period of one year from the dates shown opposite their respective names:

Name	Location	Date of Redesignation
Graham Airport.....	Bellingham, Wash.....	April 18, 1937.
Malone Airport.....	Malone, N. Y.....	April 18, 1937.
Cape Vincent Harbor.....	Cape Vincent, N. Y.....	April 25, 1937.

[SEAL]

JAMES H. MOYLE,
Commissioner of Customs.

Approved: April 24, 1937.

WAYNE C. TAYLOR,
Acting Secretary of the Treasury.

[F. R. Doc. 37-1227; Filed, April 28, 1937; 3:40 p. m.]

Bureau of Internal Revenue.

[Regulations No. 17, Amended, April, 1937]

INFORMATION CONCERNING DISPOSITION OF SUBSTANCES USED IN THE MANUFACTURE OF DISTILLED SPIRITS

District Supervisors of the Bureau of Internal Revenue and Others Concerned:

The following regulations are prescribed under the provisions of Joint Resolution No. 373, approved June 18, 1934, entitled "Joint Resolution to protect the revenue by requiring information concerning the disposition of substances used in the manufacture of distilled spirits," which is as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That every person disposing of any substance of the character used in the manufacture of distilled spirits shall, when required by the Commissioner, render a correct return in such form and manner as the Commissioner, with the approval of the Secretary of the Treasury, may by rules and regulations prescribe, showing the names and addresses of the persons to whom such disposition was made, with such details, as to the quantity so disposed of or other information which the Commissioner may require as to such disposition, as will enable the Commissioner to determine whether all taxes due with respect to any distilled spirits manufactured from such substances have been paid. Any person who willfully violates any provision hereof, or of any such rules or regulations, and any officer, director, or agent of any such person who knowingly participates in such violation, shall upon con-

viction be fined not more than \$500 or be imprisoned for not more than one year, or both. As used in this joint resolution (a) the term "distilled spirits" has the same meaning as that in which it is used in Title II of the Liquor Taxing Act of 1934; (b) the term "person" includes individuals, corporations, partnerships, associations, trusts, and other incorporated and unincorporated organizations; (c) "Commissioner" means the Commissioner of Internal Revenue; and (d) the term "substance of the character used in the manufacture of distilled spirits" includes, but not by way of limitation, molasses, corn sugar, cane sugar, and malt sugar.

ARTICLE I—DEFINITIONS

In these regulations the following words and phrases shall, unless otherwise stated, be considered as having the meaning herein defined:

(a) "Act" shall mean the Joint Resolution of Congress No. 373, approved June 18, 1934, entitled "Joint Resolution to protect the revenue by requiring information concerning the disposition of substances used in the manufacture of distilled spirits."

(b) "Commissioner" shall mean the Commissioner of Internal Revenue.

(c) "Substance" shall mean cane molasses of the grade commonly known as blackstrap molasses; dehydrated molasses; Corn sugar, beet sugar, and cane sugar; hydrol; sugar syrup, i. e. any known corn derivative containing more than 60% reducing sugar calculated as dextrose on a dry basis; yeast; cider; malt; oak chips, charred and not charred; Urea, ammonium phosphate, ammonium carbonate, ammonium sulphate and other yeast foods; corn meal, corn chops, cracked corn, rye chops, middlings, bran and other grain derivatives.

(d) "United States" shall mean the Continental United States and its outlying possessions to which the internal revenue laws apply.

(e) Words in the singular shall include the plural.

ARTICLE II—RETURNS

Every person in the United States who consigns, sells or otherwise disposes of any substance, as defined in paragraph (c) of Article I of these regulations, shall, when required in writing by the Commissioner of Internal Revenue, the Deputy Commissioner in charge of the Alcohol Tax Unit, or a District Supervisor or Acting District Supervisor of the Alcohol Tax Unit for the purpose of determining whether all taxes due with respect to any distilled spirits manufactured from such substances have been paid, render in writing a correct return showing (1) the date of the consignment, sale, or other disposition of the substance; (2) the quantity and kind of the substance consigned, sold, or otherwise disposed of; (3) the name and complete address of the purchaser, or person to whom disposition is made, and if the sale or disposition is made by or through any other person, the name and complete address of such other person; (4) the name and complete address of the consignee; (5) the date and method of shipment or delivery, such as by truck, or other conveyance, and the state or city registration number of such truck, or other



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conveyance, if any; (6) the name and complete address of the driver of such truck, or other conveyance, as shown by the driver's operator's license, if any, giving the number of the license and the date of issuance; (7) the name and complete address of the person to whom actual delivery has been, or is to be, made; and (8) the exact date of such delivery, or proposed delivery. Where shipment is made by a common carrier, such as a railroad, trucking company, steamboat line, etc., the information required by subdivisions (5) and (6) of this Article need not be reported, but in lieu thereof there shall be furnished the complete routing of the shipment.

Returns shall be filed with the officer or employee of the Bureau of Internal Revenue designated by the Commissioner or the officer requiring returns, not later than ten days after the receipt of the notice requiring the same to be filed, unless that notice shall specify a shorter period of time within which the return is to be made.

ARTICLE III—RECORDS

Every person in the United States who consigns, sells, or otherwise disposes of any substance, as defined in paragraph (c) of Article I of these regulations, shall keep at his place

of business such books, records, documents, papers, invoices, bills of lading, etc., relating to or connected with any such consignment, sale, or other disposition, as will enable such person to make the return provided for by Article II of these regulations: Provided, That, unless the Commissioner, Deputy Commissioner, District Supervisor, or Assistant District Supervisor shall, in writing, notify any such person so to do, he shall not be required to keep such books, records, documents, papers, invoices, bills of lading, etc., when the consignment, sale, or other disposition of any such substances at the same time, does not exceed the following: (a) 300 pounds of cane, corn, or beet sugar; (b) 250 gallons of blackstrap molasses, or (c) 5 pounds of yeast when packaged or cartoned in quarter pound, half pound, pound, or larger packages; (d) 100 gallons cider; (e) 250 pounds malt; (f) 300 pounds of dehydrated molasses; (g) 250 gallons of hydrol or sugar syrup; (h) 100 pounds of Urea, ammonium phosphate, ammonium carbonate, ammonium sulphate, or other yeast foods; (i) 300 pounds of corn meal, corn chops, cracked corn, rye chops, middlings, bran, or other grain derivatives. When any person has made a return pursuant to the procedure provided for in Article II of these regulations, such books, records, documents, papers, invoices, bills of lading, etc., shall be kept readily available for, and open to, inspection by any officer or employee of the Alcohol Tax Unit of the Bureau of Internal Revenue during the hours of business of such person.

ARTICLE IV—DELEGATION OF AUTHORITY

The Deputy Commissioner in charge of the Alcohol Tax Unit, Bureau of Internal Revenue, is charged with the administration and enforcement of the Act and these regulations, under the direction of the Commissioner.

These regulations shall become effective immediately.

[SEAL]

GUY T. HELVERING,

Commissioner of Internal Revenue.

Approved: April 27, 1937.

ROSSELL MAGILL,

Acting Secretary of the Treasury.

[F. R. Doc. 37-1230; Filed, April 29, 1937; 12:30 p. m.]

[Regulations No. 92, Amended, April, 1937]

REGULATIONS PRESCRIBED UNDER PROVISIONS OF TITLE I OF THE LIQUOR LAW REPEAL AND ENFORCEMENT ACT

To District Supervisors of the Bureau of Internal Revenue and Others Concerned:

The following regulations are prescribed under the provisions of Title I of the "Liquor Law Repeal and Enforcement Act", approved August 27, 1935.

ARTICLE I—DEFINITIONS

In these regulations the following words shall, unless otherwise stated, be considered as having the meaning herein defined:

(a) "Articles" shall mean denatured alcohol, denatured rum, ethyl acetate and any liquid substance or preparation which contains more than 25 per cent by volume of denatured alcohol or denatured rum;

(b) "Commissioner" shall mean the Commissioner of Internal Revenue;

(c) "Person" shall mean and include natural persons, firms, partnerships, corporations, and associations.

ARTICLE II—RETURNS

Every person in the United States who consigns, sells, or otherwise disposes of, articles as defined in these regulations, shall, when required in writing by the Commissioner of Internal Revenue, the Deputy Commissioner in charge of the Alcohol Tax Unit, or a District Supervisor or Acting District Supervisor of the Alcohol Tax Unit, for the purpose of determining whether such articles are being used for the recovery

of alcohol in fraud of the internal revenue tax on such alcohol, render in writing a correct return showing (1) the date of each consignment, sale, or other disposition of, such articles on or after the receipt of the notice requiring such returns; (2) the quantity and kind of the articles consigned, sold, or otherwise disposed of; (3) the name and complete address of the purchaser, or person to whom disposition is made, and if the sale or disposition is made by or through any other person, the name and complete address of such other person; (4) the name and complete address of the consignee; (5) the date and method of shipment or delivery, such as by truck, or other conveyance, and the state or city registration number of such truck or other conveyance, if any; (6) the name and complete address of the driver of such truck, or other conveyance, as shown by the driver's operator's license, if any, giving the number of the license and the date of issuance; (7) the name and complete address of the person to whom actual delivery has been, or is to be, made; and (8) the exact date of such delivery, or proposed delivery. Where shipment is made by a common carrier, such as a railroad, trucking company, steamboat line, etc., the information required by subdivisions (5) and (6) of this Article need not be reported, but in lieu thereof there shall be furnished the complete routing of the shipment.

Returns shall be filed with the officer or employee of the Bureau of Internal Revenue designated by the Commissioner or the officer requiring returns, not later than ten days after the receipt of the notice requiring the same to be filed, unless that notice shall specify a shorter period of time within which the return is to be filed.

ARTICLE III—RECORDS

Every person who consigns, sells, or otherwise disposes of any such articles, as defined in these Regulations, shall, on and after the receipt of a notice in writing requiring returns to be made under Article II of these Regulations, keep at his place of business such books, records, documents, papers, invoices, bills of lading, etc., relating to or connected with every such consignment, sale, or disposition, as will enable such person to make the return provided for by Article II of these regulations.

When any person has made a return pursuant to the procedure provided for in Article II of these regulations, such books, records, documents, papers, invoices, bills of lading, etc., shall be kept readily available for, and open to, inspection by any officer or employee of the Alcohol Tax Unit of the Bureau of Internal Revenue during the hours of business of such person.

ARTICLE IV

These regulations shall be in addition to, and shall not alter, modify or repeal, the provisions of existing regulations relating to denatured alcohol, denatured rum, or products containing such alcohol or rum.

ARTICLE V—DELEGATION OF AUTHORITY

The Deputy Commissioner in charge of the Alcohol Tax Unit, Bureau of Internal Revenue, is charged with the administration and enforcement of the Act and these regulations, under the direction of the Commissioner.

These regulations shall become effective immediately.

[SEAL]

GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: April 27, 1937.

ROSWELL MAGILL,
Acting Secretary of the Treasury.

[F. R. Doc. 37-1231; Filed, April 29, 1937; 12:30 p. m.]

FEDERAL POWER COMMISSION.

Commissioners: Frank R. McNinch, Chairman; Clyde L. Seavey, Vice Chairman; Herbert J. Drane, Claude L. Draper, Basil Manly.

[Docket No. IT-5465]

ORDER POSTPONING HEARING

PUBLIC SERVICE ELECTRIC AND GAS COMPANY AND SOMERSET,
UNION AND MIDDLESEX LIGHTING COMPANY

The following order was adopted:

It appearing to the Commission:

(1) Public Service Electric and Gas Company, whose address is 80 Park Place, Newark, New Jersey having filed an application, IT-5465, under Section 203 of the Federal Power Act for approval of the merger of Somerset, Union and Middlesex Lighting Company into said Public Service Electric and Gas Company, and the matter having been set for hearing on April 22, 1937, and thereafter postponed to May 3, 1937, by order of the Commission adopted April 13, 1937,¹ for the reason that certain additional information to be thereafter furnished by applicant would require additional time for consideration;

(2) That such information not having been furnished by the applicant until April 27, 1937, the time between that date and May 3, 1937, is insufficient for the consideration of the same prior to hearing.

It is ordered:

That said hearing be postponed from May 3, 1937 to May 10, 1937, at 10:00 o'clock a. m., at the Commission's hearing room in Washington, D. C.

Adopted by the Commission on April 27, 1937.

[SEAL]

LEON M. FUQUAY,
Acting Secretary.

[F. R. Doc. 37-1228; Filed, April 29, 1937; 9:29 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of April, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE SIMPSON-FELL-WESTHEIMER BATES FARM, FILED ON APRIL 22, 1937, BY VIRGIL O. KING, INC., RESPONDENT

CONSENT TO WITHDRAWAL OF FILING OF OFFERING SHEET AND ORDER TERMINATING PROCEEDING

The Securities and Exchange Commission, having been informed by the respondent that no sales of any of the interests covered by the offering sheet described in the title hereof have been made, and finding, upon the basis of such information, that the withdrawal of the filing of the said offering sheet, requested by such respondent, will be consistent with the public interest and the protection of investors, consents to the withdrawal of such filing but not to the removal of the said offering sheet, or any papers with reference thereto, from the files of the Commission; and

It is ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding,² be and the same are hereby revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-1233; Filed, April 29, 1937; 12:42 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of April, A. D., 1937.

¹ 2 F. R. 781, 828.

² 2 F. R. 904.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE STANOLIND-DEBORD "A" FARM, FILED ON APRIL 17,
1937, BY PAUL J. MCKENNA, RESPONDENT

CONSENT TO WITHDRAWAL OF FILING OF OFFERING SHEET AND
ORDER TERMINATING PROCEEDING

The Securities and Exchange Commission, having been informed by the respondent that no sales of any of the interests covered by the offering sheet described in the title hereof have been made, and finding, upon the basis of such information, that the withdrawal of the filing of the said offering sheet, requested by such respondent, will be consistent with the public interest and the protection of investors, consents to the withdrawal of such filing but not to the removal of the said offering sheet, or any papers with reference thereto, from the files of the Commission; and

It is ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding,¹ be and the same are hereby revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1232; Filed, April 29, 1937; 12:42 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of April, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE MARGAY-BEMIS "A" FARM, FILED ON APRIL 15, 1937,
BY R. A. COOK, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;²

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on April 26, 1937, be effective as of April 26, 1937; and

It is further ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1237; Filed, April 29, 1937; 12:43 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of April, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A WORKING INTEREST
IN THE COX-MCCLUSKEY FARM, FILED ON APRIL 14, 1937, BY
H. J. COX, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;³

¹ 2 F. R. 883.

² 2 F. R. 871.

³ 2 F. R. 867.

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on April 26, 1937, be effective as of April 26, 1937; and

It is further ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1238; Filed, April 29, 1937; 12:43 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of April, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE MARGAY-BEMIS "A" FARM, FILED ON APRIL 12, 1937,
BY HUGH MCCLELLAN, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;⁴

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on April 24, 1937, be effective as of April 24, 1937; and

It is further ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1236; Filed, April 29, 1937; 12:42 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of April, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE SINCLAIR-SKELLY-MARY GRAHAM FARM, FILED ON
APRIL 13, 1937, BY T. G. THOMPSON, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;⁵

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on April 24, 1937, be effective as of April 24, 1937; and

It is further ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1235; Filed, April 29, 1937; 12:42 p. m.]

⁴ 2 F. R. 837.

⁵ 2 F. R. 850.

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of April, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE SHELL-PHILLIPS-McCAUGHTRY FARM, FILED ON APRIL 13, 1937, BY L. H. WITWER, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on April 22, 1937, be effective as of April 22, 1937; and

It is further ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-1234; Filed, April 29, 1937; 12:42 p. m.]

VETERANS' ADMINISTRATION.

REVISION OF REGULATIONS

INSURANCE

Determination of Age for Insurance Purposes

3011. The age of the insured under yearly renewable term insurance and United States Government life insurance, for the purpose of fixing the rate of premium to be charged, will be determined by calculating from the date of birth to the effective date of the insurance, and the age at the nearest birthday will be used. The age of the beneficiary under such insurance for the purpose of continuous life installments with two hundred and forty installments guaranteed, will be determined by calculating from the date of birth to the date of death of the insured and the age as of last birthday will be used. If two or more dates of birth are given, the older age will be used for the insured and the premium rate will be fixed accordingly, but the younger age will be used for the beneficiary and the amount of each monthly installment will be fixed accordingly. In any event, the person in interest is privileged to furnish evidence in conformity with requirements of regulations for the purpose of establishing the date of birth of the insured or of the beneficiary. (April 30, 1937.) (Section 5, World War Veterans' Act, 1924.)

[SEAL]

FRANK T. HINES,
Administrator of Veterans' Affairs.

[F. R. Doc. 37-1229; Filed, April 29, 1937; 11:27 a. m.]

FEDERAL REGISTER ACT

[PUBLIC—No. 220—74TH CONGRESS; 49 STAT. 500-503]

AN ACT To provide for the custody of Federal proclamations, orders, regulations, notices, and other documents, and for the prompt and uniform printing and distribution thereof.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Archivist of the United States, acting through a division established by him in the National Archives Establishment, hereinafter referred to as the "Division", is charged with the custody and, together with the Public Printer, with the prompt and uniform printing and distribu-

tion of the documents required or authorized to be published under section 5. There shall be at the head of the Division a director, appointed by the President, who shall act under the general direction of the Archivist of the United States in carrying out the provisions of this Act and the regulations prescribed hereunder, who shall receive a salary, to be fixed by the President, not to exceed \$5,000 a year.

SEC. 2. The original and two duplicate originals or certified copies of any document required or authorized to be published under section 5 shall be filed with the Division, which shall be open for that purpose during all hours of the working days when the Archives Building shall be open for official business. The Director of the Division shall cause to be noted on the original and duplicate originals or certified copies of each document the day and hour of filing thereof: *Provided*, That when the original is issued, prescribed, or promulgated outside of the District of Columbia and certified copies are filed before the filing of the original, the notation shall be of the day and hour of filing of the certified copies. Upon such filing, at least one copy shall be immediately available for public inspection in the office of the Director of the Division. The original shall be retained in the archives of the National Archives Establishment and shall be available for inspection under regulations to be prescribed by the Archivist. The Division shall transmit immediately to the Government Printing Office for printing, as provided in this Act, one duplicate original or certified copy of each document required or authorized to be published under section 5. Every Federal agency shall cause to be transmitted for filing as herein required the original and the duplicate originals or certified copies of all such documents issued, prescribed, or promulgated by the agency.

SEC. 3. All documents required or authorized to be published under section 5 shall be printed and distributed forthwith by the Government Printing Office in a serial publication designated the "Federal Register." It shall be the duty of the Public Printer to make available the facilities of the Government Printing Office for the prompt printing and distribution of the Federal Register in the manner and at the times required in accordance with the provisions of this Act and the regulations prescribed hereunder. The contents of the daily issues shall be indexed and shall comprise all documents, required or authorized to be published, filed with the Division up to such time of the day immediately preceding the day of distribution as shall be fixed by regulations hereunder. There shall be printed with each document a copy of the notation, required to be made under section 2, of the day and hour when, upon filing with the Division, such document was made available for public inspection. Distribution shall be made by delivery or by deposit at a post office at such time in the morning of the day of distribution as shall be fixed by such regulations prescribed hereunder. The prices to be charged for the Federal Register may be fixed by the administrative committee established by section 6 without reference to the restrictions placed upon and fixed for the sale of Government publications by section 1 of the Act of May 11, 1922, and section 307 of the Act of June 30, 1932 (U. S. C., title 44, secs. 72 and 72a), and any amendments thereto.

SEC. 4. As used in this Act, unless the context otherwise requires, the term "document" means any Presidential proclamation or Executive order and any order, regulation, rule, certificate, code of fair competition, license, notice, or similar instrument issued, prescribed, or promulgated by a Federal agency; the terms "Federal agency" or "agency" mean the President of the United States, or any executive department, independent board, establishment, bureau, agency, institution, commission, or separate office of the administrative branch of the Government of the United States but not the legislative or judicial branches of the Government; and the term "person" means any individual, partnership, association, or corporation.

SEC. 5. (a) There shall be published in the Federal Register (1) all Presidential proclamations and Executive orders, except such as have no general applicability and legal effect

¹ 2 F. R. 850.

or are effective only against Federal agencies or persons in their capacity as officers, agents, or employees thereof; (2) such documents or classes of documents as the President shall determine from time to time have general applicability and legal effect; and (3) such documents or classes of documents as may be required so to be published by Act of the Congress: *Provided That* for the purposes of this Act every document or order which shall prescribe a penalty shall be deemed to have general applicability and legal effect.

(b) In addition to the foregoing there shall also be published in the Federal Register such other documents or classes of documents as may be authorized to be published pursuant hereto by regulations prescribed hereunder with the approval of the President, but in no case shall comments or news items of any character whatsoever be authorized to be published in the Federal Register.

SEC. 6. There is established a permanent Administrative Committee of three members consisting of the Archivist or Acting Archivist, who shall be chairman, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer. The Director of the Division shall act as secretary of the committee. The committee shall prescribe, with the approval of the President, regulations for carrying out the provisions of this Act. Such regulations shall provide, among other things: (a) The manner of certification of copies required to be certified under section 2, which certification may be permitted to be based upon confirmed communications from outside of the District of Columbia; (b) the documents which shall be authorized pursuant to section 5 (b) to be published in the Federal Register; (c) the manner and form in which the Federal Register shall be printed, reprinted, compiled, indexed, bound, and distributed; (d) the number of copies of the Federal Register which shall be printed, reprinted, and compiled, the number which shall be distributed without charge to Members of Congress, officers and employees of the United States, or any Federal agency for their official use, and the number which shall be available for distribution to the public; and (e) the prices to be charged for individual copies of, and subscriptions to, the Federal Register and reprints and bound volumes thereof.

SEC. 7. No document required under section 5 (a) to be published in the Federal Register shall be valid as against any person who has not had actual knowledge thereof until the duplicate originals or certified copies of the document shall have been filed with the Division and a copy made available for public inspection as provided in section 2; and, unless otherwise specifically provided by statute, such filing of any document, required or authorized to be published under section 5, shall, except in cases where notice by publication is insufficient in law, be sufficient to give notice of the contents of such document to any person subject thereto or affected thereby. The publication in the Federal Register of any document shall create a rebuttable presumption (a) that it was duly issued, prescribed, or promulgated; (b) that it was duly filed with the Division and made available for public inspection at the day and hour stated in the printed notation; (c) that the copy contained in the Federal Register is a true copy of the original; and, (d) that all requirements of this Act and the regulations prescribed hereunder relative to such document have been complied with. The contents of the Federal Register shall be judicially noticed and, without prejudice to any other mode of citation, may be cited by volume and page number.

SEC. 8. Whenever notice of hearing or of opportunity to be heard is required or authorized to be given by or under an Act of the Congress, or may otherwise properly be given, the notice shall be deemed to have been duly given to all persons residing within the continental United States (not including Alaska), except in cases where notice by publication is insuff-

ficient in law, if said notice shall be published in the Federal Register at such time that the period between the publication and the date fixed in such notice for the hearing or for the termination of the opportunity to be heard shall be (a) not less than the time specifically prescribed for the publication of the notice by the appropriate Act of Congress; or (b) not less than fifteen days when no time for publication is specifically prescribed by the Act, without prejudice, however, to the effectiveness of any notice of less than fifteen days where such shorter period is reasonable.

SEC. 9. Every payment made for the Federal Register shall be covered into the Treasury as a miscellaneous receipt. The cost of printing, reprinting, wrapping, binding, and distributing the Federal Register and any other expenses incurred by the Government Printing Office in carrying out the duties placed upon it by this Act shall be borne by the appropriations to the Government Printing Office and such appropriations are hereby made available, and are authorized to be increased by such additional sums as are necessary for such purposes, such increases to be based upon estimates submitted by the Public Printer. The purposes for which appropriations are available and are authorized to be made under section 10 of the Act entitled "An Act to establish a National Archives of the United States Government, and for other purposes" (48 Stat. 1122) are enlarged to cover the additional duties placed upon the National Archives Establishment by the provisions of this Act. Copies of the Federal Register mailed by the Government shall be entitled to the free use of the United States mails in the same manner as the official mail of the executive departments of the Government. The cost of mailing the Federal Register to officers and employees of Federal agencies in foreign countries shall be borne by the respective agencies.

SEC. 10. The provisions of section 2 shall become effective sixty days after the date of approval of this Act and the publication of the Federal Register shall begin within three business days thereafter: *Provided*, That the appropriations involved have been increased as required by section 9 of this Act. The limitations upon the effectiveness of documents required, under section 5 (a), to be published in the Federal Register shall not be operative as to any document issued, prescribed, or promulgated prior to the date when such document is first required by this or subsequent Act of the Congress or by Executive order to be published in the Federal Register.

SEC. 11. Within six months after the approval of this Act each agency shall prepare and file with the committee a complete compilation of all documents which have been issued or promulgated prior to the date documents are required or authorized by this Act to be published in the Federal Register and which are still in force and effect and relied upon by the agency as authority for, or invoked or used by it in the discharge of, any of its functions or activities. The committee shall within sixty days thereafter report with respect thereto to the President, who shall determine which of such documents have general applicability and legal effect, and shall authorize the publication thereof in a special or supplemental edition or issue of the Federal Register. Such special or supplemental editions or issues shall be distributed in the same manner as regular editions or issues, and shall be included in the bound volumes of the Federal Register as supplements thereto.

SEC. 12. Nothing in this Act shall be construed to apply to treaties, conventions, protocols, and other international agreements, or proclamations thereof by the President.

SEC. 13. All Acts or parts of Acts in conflict with this Act are hereby repealed insofar as they conflict herewith.

SEC. 14. This Act may be cited as the "Federal Register Act."

Approved, July 26, 1935.